

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
July 29, 2020

Name of Offender: **Gregory James Boatright**

Case Number: **2:20CR00166**

Name of Sentencing Judicial Officer: **Honorable Camille D. Bibles**

Date of Original Sentence: **June 11, 2020**

Original Offense: **Domestic Assault by Striking, Beating, or Wounding**

Original Sentence: **Time served, followed by 12 Months TSR.**

Date Supervision Commenced: **June 11, 2020**

Date Jurisdiction Transferred to District of Nevada: **July 14, 2020**

Name of Assigned Judicial Officer: **Honorable Gloria M. Navarro**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

1. **Residential Reentry Center** – You must reside in a residential reentry center for a term of up to seven (7) months. You must follow the rules and regulations of the center. It is ordered that subsistence is waived per the Court.
2. **C.A.R.E. Program** – You shall participate in the C.A.R.E. Program for a period of up to seven (7) months as approved and directed by the probation officer. While participating in the program, if you test positive for alcohol, or any controlled substance, and/or any form of synthetic marijuana or synthetic stimulants, you will be taken into custody for a minimum period of seven (7) days. It is ordered that subsistence is waived per the Court.
3. **Search and Seizure** – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a

RE: Gregory James Boatright

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United States Probation Officer. Failure to submit to a search may be grounds for revocation of release. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

CAUSE

Your Honor was previously notified of non-compliant behavior on July 20, 2020. The non-compliance involved Boatright using a controlled substance, namely methamphetamine and marijuana. Boatright admitted that he uses marijuana to address his PTSD and Anxiety. Initially, Boatright was instructed to find an alternative to address his anxiety and PTSD and begin his substance abuse treatment program in hopes that the underlying issues could be resolved, and his drug use would cease. Unfortunately, that did not happen, and Boatright now has two additional presumptive positives for marijuana on July 23, 2020 and July 26, 2020, which he claims to be residual use. The Probation Office will wait for the lab results to come back from those two additional tests and will request an Interpretation Letter from the National Laboratory to determine whether they're new use. On July 23, 2020, Boatright was presented with a Waiver of Hearing to Modify Conditions of Supervised Release from which contained the three-modifications as noted above. Boatright agreed to the conditions as noted and signed the waiver this date. A copy has been attached for Your Honor's review.

At this time, the probation office recommends that the noted conditions be added to assist Boatright in his recovery. Additionally, Boatright's actions have placed him on the cusp of mandatory revocation if he continues to use controlled substances. It is believed that participation in the C.A.R.E Program will provide Boatright with the best opportunities to be successful during his term of supervised release and beyond.

Respectfully submitted,

Digitally signed by

Cecil B McCarroll III

Date: 2020.07.29

15:18:01 -07'00'



Cecil McCarroll

United States Probation Officer

RE: Gregory James Boatright

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Approved:

Amberleigh Barajas

Amberleigh Barajas for 2020.07.29 15:15:02
-07'00'

Todd J. Fredlund
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



Signature of Judicial Officer

July 29, 2020

Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

District of Nevada

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

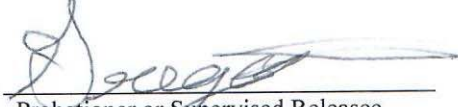
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. **Residential Reentry Center** – You must reside in a residential reentry center for a term of up to seven months. You must follow the rules and regulations of the center. It is ordered that subsistence is waived per the Court.
2. **C.A.R.E. Program** – You shall participate in the C.A.R.E. Program for a period of up to seven months as approved and directed by the probation officer. While participating in the program, if you test positive for alcohol, or any controlled substance, and/or any form of synthetic marijuana or synthetic stimulants, you will be taken into custody for a minimum period of seven days. It is ordered that subsistence is waived per the Court.
3. **Search and Seizure** – You must submit your person, property, house, residence, vehicle, papers, computers (as defined in 18 U.S.C. § 1030(e)(1)), other electronic communications or data storage devices or media, or office, to a search conducted by a United States Probation Officer. Failure to submit to a search may be grounds for revocation of supervision. You must warn any other occupants that the premises may be subject to searches pursuant to this condition.

The probation officer may conduct a search under this condition only when reasonable suspicion exists that you have violated a condition of supervision and that the areas to be searched contain evidence of this violation. Any search must be conducted at a reasonable time and in a reasonable manner.

Digitally signed by
Cecil B McCarroll III
Date: 2020.07.29
12:00:43 -07'00'

Witness 
U.S. Probation Officer

Signed 
Probationer or Supervised Releasee

7/27/20
Date